

REMARKS

§ 103 Rejection

Claims 1 - 18 have been rejected under § 103. These claims have been cancelled.

Claims 1 - 11 have been rejected under § 103 based on Carr (U.S. 4,330,130) in view of James, Sr. (U.S. 6,173,957). Claims 12 - 18 have been rejected under § 103 based on Carr in view of James, Sr. ("James") and Rakonjac (U.S. 5,776,021).

Independent claims 19 and 28 require that the disc(s) have a scoring value indicator on the disc which corresponds to an indicated number of points that can be scored with the disc(s). Claims 19 and 28 recite the limitation that a player scores points by throwing discs with score value indicators thereon. Applicants agree with the statement in the Office Action that "Carr does not disclose expressly the disc having indicia or a score value indicator" (Page 3, Office Action). Applicants also assert that Carr does not suggest such a limitation. No cited art teaches or suggests these limitations. Applicants also note that - even if such art is cited - there is no motivation or reason to combine it with Carr since Carr is directed solely to a simulated bowling game and, in bowling, there is no reason to have a score value indicator on a bowling ball or on the flying saucer that is thrown in Carr. A score value indicator on a bowling ball (or item thrown) would change the game of bowling - in which scoring is based solely on the number of things knocked down.

Regarding Claim 28, Applicants respectfully submit that no cited art and no art of record suggests or discloses a method as claimed herein wherein a score is achieved by hitting a player with a thrown disc. No cited art teaches or suggests that a target can be a player at whom a disc is thrown in an attempt to hit the player so the player does not contact the disc. Carr is directed only to knocking over things and has no teaching or suggestion of - or need for - hitting a player. Similarly James has no such teaching or suggestion. Rakonjac has no teaching or suggestion of scoring by hitting a person with a thrown disc as now claimed herein.

Applicants respectfully submit that the claims define nonobvious, patentable subject matter.

Specifications & Objections

In the specification, Page 1, line 12 has been amended. A corrected paragraph is submitted herewith.

"Outer" is correctly spelled in new claim 28 (corresponding somewhat to now-cancelled Claim 12).

Conclusion

Applicants appreciate the careful and detailed Office Action. This is intended to be a complete Response to the Office Action. Early and favorable reconsideration is respectfully requested.

Respectfully submitted,

Date: 3 June 05

Guy McClung
Reg. No. 29,008

PMB 347
16690 Champion Forest Drive
Spring, TX. 77379--7023

Phone: 281 893 5244

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with sufficient postage as first class U.S. mail with the United States Postal Service in an envelope addressed to: Mail Stop; Commissioner for Patents; P.O. Box 1450; Alexandria VA 22313-1450, on 3 June 05

Date: 3 June 05

Guy McClung, Reg. No. 29,008

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the original of this correspondence is being facsimile transmitted to the examiner at 703 872 9306 on 3 June 05 2005.

Date: 3 June 05

Guy McClung, Reg. No. 29,008

erroneously listed
as 6 June 05 on
faxed version!
actual date: 3 June 05